

19. Appeal to industrial magistrate

- (1) A person aggrieved by —
 - (a) a determination of the Registrar under regulation 15 (3) that there are, or are not, reasonable grounds for a complaint under regulation 12 (2); or
 - (b) the Registrar's determination to cancel the person's registration, may appeal to an industrial magistrate.
- (2) An appeal is to be commenced by notice in the approved form lodged within 21 days after receiving notice of the determination.
- (3) The industrial magistrate may determine an appeal on the material that was before the Registrar or on such additional or fresh evidence, either oral or by affidavit, as the industrial magistrate may allow.
- (4) On an appeal the industrial magistrate may confirm or reverse the determination of the Registrar.
- (5) If the industrial magistrate finds that there are reasonable grounds for a complaint under regulation 12 (2), the industrial magistrate may —
 - (a) remit the matter to the Registrar for conciliation with or without directions; or
 - (b) if the parties agree, deal with the matter as if it were a matter initiated before the industrial magistrate under regulation 17.
- (6) If the matter is remitted to the Registrar for conciliation the period of 28 days referred to in regulation 16 (3) is taken to commence on the day on which the matter is remitted.
- (7) If an appeal is not upheld, the industrial magistrate may order the party who commenced the appeal to pay all or parts of the costs of the other parties to the appeal.
- (8) Costs ordered to be paid under this regulation are recoverable in a court of competent jurisdiction as a debt payable by the person ordered to pay the costs.